

Declaratory
~~Improvement~~ Res. No. 795-1949

which provides for the vacation
of the first alley east of Fairfield
Avenue from Butler Street to Poplar
Street.

Resolution Adopted:

March 1, 1949

Confirmed: as modified

March 24, 1949

~~Bids Received~~

~~Contract Awarded~~

~~Contract and Bond~~

~~Contractor:~~

~~Reported Completed~~

Assessment Roll Confirmed:

May 10, 1949

DECLARATORY RESOLUTION NO. 795 - 1949

For the vacation of the first alley east of Fairfield Avenue from Butler Street to Poplar Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley east of Fairfield Avenue from Butler Street to Poplar Street.

All as shown by a plan of such proposed alley vacation as above described, now on file in the office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said alley vacation shall be assessed against the property owners beneficially affected thereby.

The property which may be injuriously or beneficially affected, by the proposed alley vacation is described as follows:
Lots No. 37 and No. 38 in Hoagland and Williams Addition to the City of Fort Wayne, Indiana, also Lot No. 1 L. J. Geiss Addition to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof..

All streets and lots and lands affected by the above described alley vacation are situated in the southeast quarter (SE $\frac{1}{4}$), Section eleven (11), Township Thirty North (30N), Range Twelve (12) East, and lying within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

ADOPTED THIS 1st DAY OF March 1949

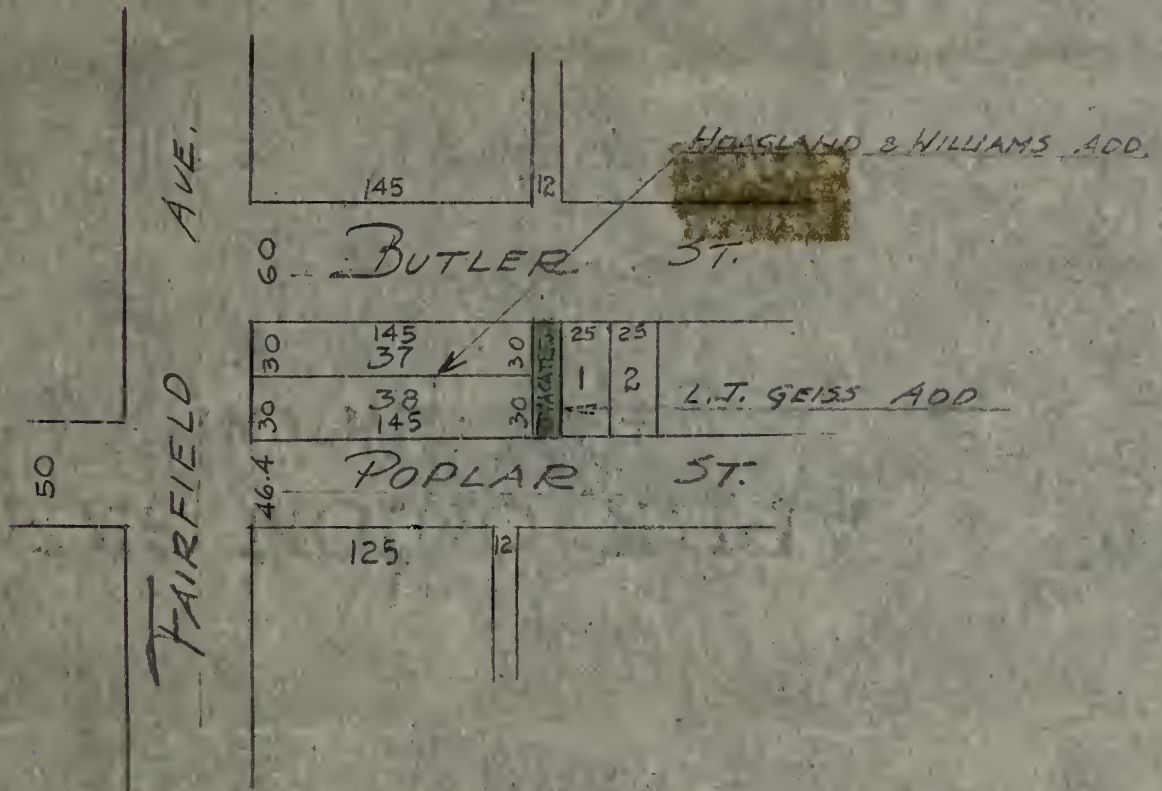
ATTEST:

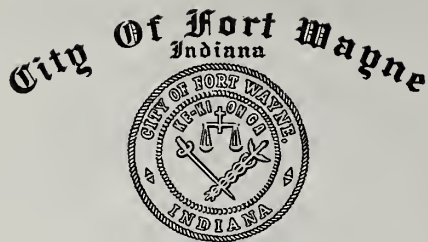
Joseph M. Schwartz
Secretary, Board of Public Works

Kathleen Vetter
Frank A. Duck
Chauncey R. Ristoff
Board of Public Works

NOTE: The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

DECLARATORY RESOLUTION No. 795 - 1949.





OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE, INDIANA

February 23, 1949

Mr. C. Ross Lindemuth
City Engineer
City Hall

Dear Mr. Lindemuth:

You are hereby instructed to prepare plans for the vacation of the first alley east of Fairfield Avenue from Butler Street to Poplar Street.

Yours very truly,

Board of Public Works

Walter C. White

Frank A. Peck

Chambers L. Griffith

ATTEST:

JMSchwartz
Secretary

JMS/vma

Date March 10, 1949

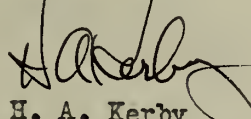
To: Mr. Paul E. Congdon - General Superintendent

Subject:

Recently, Mr. Richard Perry was in to discuss the abandoning of an alley east of Fairfield, between Poplar and Butler Streets. I advised him that we have power lines and some poles in this alley. Since that time, we have learned that the other two utilities also have lines in this alley. For this reason, the three utilities join in asking that the alley be saved for utility purposes with an easement right, but we have no particular interest in the alley as such.

It is my understanding that the Board of Works will have a hearing on the abandoning of this alley about March 24th, and we felt our desire should be made known to them before definite action is taken. Attached is a sketch of this area.

Yours very truly,



H. A. Kerby
Chief Engineer

HAK:af

AVE.

FAIRFIELD

BUTLER

ST

THESE WIRES
SERVE HOUSES
FACING BUTLER ST

POPLAR

ST.

○ PRESENT POLES

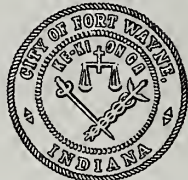
— CITY WIRES

— I + M E CO. WIRES

— H. T. + T. CO WIRES

NORTH

City Of Fort Wayne
Indiana



OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE, INDIANA

March 24, 1949

Mr. C. Ross Lindemuth
City Engineer
City Hall

Dear Sir:

You are hereby instructed to prepare an assessment roll of benefits and damages for Declaratory Resolution No. 795 which provides for the vacation of the first alley east of Fairfield Avenue from Butler Street to Poplar Street subject to an easement for the use of the City of Fort Wayne and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

Yours very truly,

Walter C. Tetter

Chauncey R. Giffert

Board of Public Works

ATTEST:

vma

M. Schwanitz
Secretary

P E T I T I O N

Fort Wayne, Ind., February 19, 1949

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on both the West and East side of the alley referred to below, ~~from~~
_____ to _____

respectfully petition for the passage of a resolution providing for the vacation of the first alley east of Fairfield Ave. from Butler Street to Poplar Street.

NAME	ADDRESS	Petitioner
<i>Arthur @ Stein</i>	<i>1312 N 6 Hazelhurst Dr</i>	
<i>Mrs. Lucille Stein</i>	<i>City</i>	

COUNCILMAN

Petition for Passage

of a Resolution for

Evacation of the first alley

east of Fairfield Ave.

from Butler Street

to Poplar Street

Filed with the Board of Public Works

Plans Ordered: February 23,

1949

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